

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE

WESTERN DIVISION

FILED BY *Rg* D.C.

05 MAY 13 PM 3:46

ROBERT P. DI TOLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Civil No. 04-2097-Ma-P

Two Hundred Eighty-Six Thousand Four
Hundred Forty Dollars (\$286,440.00) in
United States Currency,

Nine (9) Assorted Conveyances, with All
Appurtenances and Attachments Thereon,

Miscellaneous Computer Equipment,

Assorted Jewelry,

Defendants.

CONSENT ORDER

Pursuant to the consent and agreement of the parties hereto, by and through their respective attorneys, and as evidenced by the Stipulated Settlement Agreement of the parties in the above-styled case and the negotiated plea agreement entered docket no. 92-20132-B and 03-20169-B, it is hereby **ORDERED, ADJUDGED, AND DECREED** that:

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 5/19/05

49

1. The following property shall be forfeited to the United States to be disposed of in accordance with law:

a. The following vehicles:

- 1) One 1968 Chevrolet Impala automobile bearing vehicle identification number 1648785256691, with all appurtenances and attachments thereon;
- 2) one 2001 Chrysler Prowler automobile bearing vehicle identification number 1CEW65G81V702458; and,
- 3) a 1994 Crowlin boat (hull no. JTC16323K394) and Prestige trailer (serial no. 1P9BT222XRC208173).

b. The following jewelry seized by law enforcement agents on September 30, 2003, from premises and/or vehicles associated with Lermedeyo Malone:

- 1) One men's Rolex President with pave diamond dial round diamond bezel (38 diamonds), model #18239;
- 2) One men's bracelet with 219 princess diamonds and 146 brilliant diamonds, white mount ;
- 3) One men's chain with 174 brilliant diamonds, stones set in white link chain with matching bracelet;
- 4) One men's cross pendant with 104 tapered diamonds and seven brilliant diamonds, white mount;
- 5) One men's ring with 65 princess diamonds, white mount;
- 6) One men's bracelet with 828 brilliant diamonds and 108 princess diamonds, white mount;
- 7) One men's bracelet with 94 brilliant diamonds, stones set in white mounting;
- 8) One men's ring with 28 princess cut diamonds and 20 brilliant cut diamonds, white mount;

- 9) One men's initial pendant with 78 princess cut diamonds, 135 brilliant diamonds, and 12 brilliant diamonds, initial "L";
 - 10) One men's fancy link necklace measuring 6mm wide and 26" in length;
 - 11) One men's fancy link bracelet measuring 6mm wide and 8" in length;
 - 12) One men's fancy link bracelet measuring 6mm wide and 39" in length;
 - 13) One men's cross pendant with 126 diamonds accented with 65 baguette diamonds.
- c. The following currency:
- 1) \$25,336.00 in U.S. Currency seized by law enforcement agents on September 30, 2003, at 5131 Briarwind, Arlington, Tennessee 38002-8955, and
 - 2) \$237,060.00 in U.S. Currency seized by law enforcement agents on September 30, 2003, at 5417 Meadow Cross Drive, Memphis, TN 38141.
2. The following property shall be returned to the claimants:
- a. 1 pair of earrings each w/36 princess cut diamonds stones set in white mounting,
 - b. 1 men's ring w/56 princess cut diamonds set in a white mounting,
 - c. 1 men's ring w/44 princess cut diamonds set in white mounting,
 - d. 1 pair of stud earrings w/25 princess cut diamonds set in a white mounting,
 - e. 1 men's stainless steel Gucci watch w/silver chronograph face, accented by 206,
 - f. 1 ladies chain and pendant with cubic zirconium stones
 - g. 1 ladies anniversary band with three baguette diamonds,

- h. 1 necklace with seven round diamonds,
- i. 1 ladies ring with three princess diamonds and three brilliant diamonds,
- j. 1 ladies Rolex Datejust watch.

3. Plaintiff and claimants shall not be entitled to costs in this matter, and neither they nor the persons who made the seizure of the defendant property, nor the prosecutor, shall be liable to suit or judgment on account of the seizure of the defendant property.

4. This action shall be dismissed with prejudice, and each party shall bear its own attorney's fees and costs.

5. The Clerk of Court shall enter a judgment incorporating the terms of this order.

IT IS SO ORDERED ON THIS THE 13th DAY OF May,
2005.




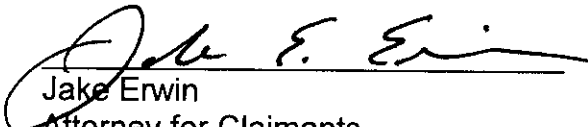
SAMUEL H. MAYS, JR.
United States District Judge

APPROVED AND CONSENTED:

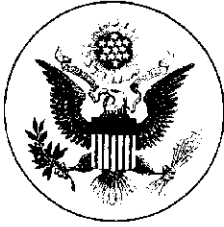
TERRELL . HARRIS
United States Attorney

By:



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Assistant United States Attorney

Jake Erwin
Attorney for Claimants
Lernedyo Malone and Jacqueline Malone



Notice of Distribution

This notice confirms a copy of the document docketed as number 49 in case 2:04-CV-02097 was distributed by fax, mail, or direct printing on May 19, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT